



Promoting the wise use of land
Helping build great communities

3-1
COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

SUBDIVISION REVIEW BOARD

MEETING DATE June 6, 2005	CONTACT/PHONE Stephanie Fuhs (805) 781-5721	APPLICANT Dale Federer	FILE NO. CO 04-0186 SUB2004-00164
SUBJECT Request by Dale Federer/Engineering Development Associates for a Vesting Tentative Parcel Map to subdivide an existing 1.1acre parcel into four parcels ranging in size from 8,700 square feet to 13,000 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Orchard Road and Frank Court. The proposed project is within the Residential Single Family land use category and is located at 233 Frank Court, east of Orchard Road, in the community of Nipomo. The site is in the South County (Inland) planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 04-0186 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 28, 2005 for this project. Mitigation measures are proposed to address Air Quality, Noise, Public Services and Utilities, Recreation and Water and are included as conditions of approval.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 092-130-071	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: 22.112.080 – Nipomo Urban Area Standards			
LAND USE ORDINANCE STANDARDS: 22.22.080 – Subdivision Design Standards (Residential Single Family Land Use Category)			
EXISTING USES: Residence, accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/Residences <i>East:</i> Residential Single Family/Residences <i>South:</i> Residential Single Family/Residences <i>West:</i> Residential Single Family/Residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

3-2

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, County Parks, CDF, Nipomo Community Services District, APCD	
TOPOGRAPHY: Nearly level to gently rolling	VEGETATION: Grasses, ornamentals, pines
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF	ACCEPTANCE DATE: January 12, 2005

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6,000 square foot parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Access	Located on a local street	6,000 square feet
Slope	Average slope is between 0 and 15%	6,000 square feet
Water Supply and Sewage Disposal	Community Water Community Sewer	6,000 square feet

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS:

22.112.080 – *Nipomo Urban Area Standards*: Community-wide – (A)(2) - All streets outside of the central business district require an offer of dedication for a minimum 8-foot parkway between the curb and sidewalk with landscaping improvements including at least one street tree per 50 feet of frontage and lawn or low-maintenance plants. As conditioned, the project complies with this standard. (A)(4) – A drainage plan is required for the project site. As conditioned, the project meets this standard.

COMMUNITY ADVISORY GROUP COMMENTS: The Nipomo Community Advisory Council supported the project at their December 13, 2004 meeting.

AGENCY REVIEW:

Public Works- Supports with conditions

Environmental Health – Recommends stock conditions for community water and sewer, final will-serve letter prior to recordation

County Parks – Recommends an A-1(x) trail along the Orchard Road frontage, Quimby and Building Division fees

CDF – See attached fire safety plan

Nipomo Community Services District – No comments received

APCD – No comments received

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

FINDINGS - EXHIBIT A
SUB2004-00164 (CO 04-00186) FEDERER

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 28, 2005 for this project. Mitigation measures are proposed to address Air Quality, Noise, Public Services and Utilities, Recreation and Water and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Single Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences and accessory structures.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support single family residences and accessory structures.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is located in an urbanized area that does not contain significant wildlife habitats.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

35

Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

CONDITIONS - EXHIBIT B
SUB 2004-00164 (CO 04-00186) FEDERER

Approved Project

1. A Vesting Tentative Parcel Map to subdivide an existing 1.1acre parcel into four parcels ranging in size from 8,700 square feet to 13,000 square feet each for the purpose of sale and/or development.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. Chata Street widened to complete an A-2 section fronting the property.
 - b. Frank Court widened to complete an A-2 cul-de-sac section fronting the property.
 - c. Orchard Avenue widened to complete an A-2(d) section fronting the property.
3. Eight-foot parkways are required for all streets with detached sidewalks.
4. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. For road widening purposes, the width as needed along Orchard Road to contain the required improvements.
5. Access be denied to Lot 1 from Orchard Avenue and that this be by certificate and designation on the map.
6. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

7. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Trail plan, to be approved jointly with the Park Division.
 - h. Landscaped parkway plan in accordance with Planning Area standards.

8. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
9. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

10. Submit complete drainage calculations to the Department of Public Works for review and approval.
11. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
12. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Utilities

13. Electric and telephone lines shall be installed underground.
14. Cable T.V. conduits shall be installed in the street.
15. Gas lines shall be installed.

Design

16. The office and sheds on Lot 4 and the animal enclosures on Lot 1 shall be removed or brought into conformance with the Land Use Ordinance prior to filing the final parcel or tract map. A demolition permit may be required.

Fire Protection

17. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map per the CDF letter dated January 10, 2005.

3-8

Parks and Recreation (Quimby) Fees

18. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

19. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Landscape Plans

20. ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Chapter 22.16/Section 23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing, if the drainage basin has a depth of 2 feet or greater as measured from the top of the rim to the lowest portion of the basin
 - b. Drainage basin perimeter landscape screening, if the basin is fenced
 - c. Landscaping for erosion control.
21. All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within 90 days of completion of the improvements.

Additional Map Sheet

22. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. That the owner(s) of lot(s) 1-4 are responsible for on-going maintenance of drainage basin fencing in perpetuity, if the basin is fenced.
 - b. That the owner(s) of lot(s) 1-4 are responsible for on-going maintenance of drainage basin/adjacent landscaping in a viable condition on a continuing basis into perpetuity.
 - c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

- d. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated January 10, 2005 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- e. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. Reduce the amount of disturbed area where possible,
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- f. **Prior to issuance of construction permits for Parcels 1, 2 and 3**, the applicant shall show on the construction plans the following for noise mitigation:
 - a. air conditioning or a mechanical ventilation system,
 - b. windows and sliding glass doors mounted in low air infiltration rate frames, and
 - c. solid core exterior doors with perimeter weather stripping and threshold shields.
- g. **Prior to issuance of construction permits for Parcel 1**, the applicant shall show outdoor activity areas for new residential construction that is located between the noise source (Orchard Road) and the residence so the residence acts as a sound barrier. If the outdoor activity area cannot be located in this manner, a sound wall or landscaping berm shall be constructed that is of sufficient height that it interrupts the line-of-sight between the noise source and outdoor activity area. The design and materials used for the sound wall or berm shall be reviewed and approved by the Planning and Building Department prior to issuance of construction permits and shall include natural materials and colors.
- h. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - a. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - b. To minimize establishment of shallow roots, the following shall be avoided on turf

- areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
- c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
 - i. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

Covenants, Conditions and Restrictions

23. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
- a. On-going maintenance of drainage basin fencing in perpetuity, if the basin is fenced.
 - b. On-going maintenance of drainage basin / adjacent landscaping in a viable condition on a continuing basis into perpetuity.
 - c. Maintenance of drainage basin landscaping.
 - d. **Prior to issuance of construction permits for Parcels 1, 2 and 3**, the applicant shall show on the construction plans the following for noise mitigation:
 - a. air conditioning or a mechanical ventilation system,
 - b. windows and sliding glass doors mounted in low air infiltration rate frames, and
 - c. solid core exterior doors with perimeter weather stripping and threshold shields.
 - e. **Prior to issuance of construction permits for Parcel 1**, the applicant shall show outdoor activity areas for new residential construction that is located between the noise source (Orchard Road) and the residence so the residence acts as a sound barrier. If the outdoor activity area cannot be located in this manner, a sound wall or landscaping berm shall be constructed that is of sufficient height that it interrupts the line-of-sight between the noise source and outdoor activity area. The design and materials used for the sound wall or berm shall be reviewed and approved by the Planning and Building Department prior to issuance of construction permits and shall include natural materials and colors.
 - f. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - a. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - b. To minimize establishment of shallow roots, the following shall be avoided on turf areas: close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.

3-11

- g. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance.**

Miscellaneous

- 24. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 25. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

3-17

STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

3-13

12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

3-14

10



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 11/18/04
FROM: PW
FROM: South Co. Team
(Please direct response to the above)

FEDERER
SUB2004-00164
Project Name and Number

Development Review Section (Phone: 788-2009)

PROJECT DESCRIPTION: CO 04-0186 Parcel map. Subdivide 1.1 acres into 4 lots. Located in Nipomo off Frank Court. APN: 092-130-071.

Return this letter with your comments attached no later than:

12/3/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - 360CS ATTACHED. ORCHARD AVE IMPROVEMENTS WILL INCLUDE 2 TRAVEL LANES, A CENTER TURN LANE AND TWO BIKE LANES - FACE OF CURB 23 FEET FROM CENTER LINE, WITH 8 FT PARKWAY, 4 FT DETACHED SIDEWALK PLUS EQUESTRIAN PATH IF IT IS REQUIRED ADDED BEHIND CURB. THE "RETENTION BASIN ENSEMBLE... TO BE BUILT CLAIMED" WILL HAVE TO BE DONE BY APPLICANT/AGENT AND IS NOT SOMETHING FOR US TO ADDRESS. DRAINAGE CALC'S PENDING.

08 DEC 2004
Date

GOODWIN
Name

5252
Phone

3-15

SUB2004-00164

General APPLICATION form

San Luis Obispo County Department of Planning and Building

File No CO 04-0186

APPLICATION TYPE CHECK ALL THAT APPLY

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Public Lot | <input type="checkbox"/> Voluntary Merger | <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Lot Line Adjustment |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Tract Map | <input type="checkbox"/> Receiving Site | <input type="checkbox"/> Sending Site |
| <input type="checkbox"/> Condominium (new or conversion) | <input type="checkbox"/> Road Abandonment | <input type="checkbox"/> Road Name | |
| <input type="checkbox"/> Reversion to Acreage | <input type="checkbox"/> Reconsideration | | |

APPLICANT INFORMATION Check box for contact person assigned to this project

☒ Landowner Name: Dale Federer Daytime Phone: (805) 929-3954
Mailing Address: 233 Frank Court, Nipomo CA Zip: 93444
Email Address: _____

☐ Applicant Name _____ Daytime Phone _____
Mailing Address _____ Zip _____
Email Address: _____

☒ Agent Name: Glenn Rider, eda design professionals Daytime Phone: (805) 549-8658
Mailing Address: 1998 Santa Barbara St. San Luis Obispo, CA Zip: 93401
Email Address: glennr@edainc.com

PROPERTY INFORMATION

Total Size of Site: 1.1 ACRES Assessor Parcel Number(s): 092-130-071

Legal Description: Lot E of Tract No. 1015, in the County of San Luis Obispo

Address of the project (if known): 233 Frank Court, Nipomo, CA 93444

Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: From Highway 101; west on Teft Street; south/left on Orchard Ave. east/left on Theodora St.; south/right on Frank Court.

Describe current uses, existing structures, and other improvements and vegetation on the property: SFR; One Residence with detached accessory structures, horse corral and non-native fruit trees.

PROPOSED PROJECT

Describe the proposed project (inc. size of all proposed parcels): Subdivide the property into four parcels: Parcel (1) = 0.3 acres; Parcel (2) = 0.3 acres; Parcel (3) = 0.3 acres; Parcel (4) = 0.2 acres;

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Dale Federer Date October 28 2004

FOR STAFF USE ONLY

Minimum Parcel Size: _____ ☐ sq. feet ☐ acres ☐ by PAS? ☐ by Ordinance?

376

County of San Luis Obispo • Public Health Department



October 25, 2004

EDA Design Professionals
1998 Santa Barbara Street, Suite 200
San Luis Obispo, CA 93401

ATTN: GLENN RIDER
RE: TENTATIVE PARCEL MAP CO 04-0186 (FEDERER)

Water Supply and Wastewater Disposal

This office is in receipt of a preliminary intent to serve from the Nipomo Community Services District to provide water and sewer services to the above noted parcel map. Be advised a final can and will serve letter will be required prior to recordation of the final map. The improvements for water and sewer will be built or bonded for prior to final recordation.

CO 04-0186 is approved for Health Agency subdivision map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
NCSD
Dale Federer, Owner

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

RECEIVED

OCT 28 2004

EDA

3-17

SF



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

January 10, 2005

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # Federer/SUB 2004-00164

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed four parcel subdivision project located at 233 Frank Court, Nipomo. This project is located approximately 6-8 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.

3-18

- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

cc: Mr. Dale Federer, owner
Mr Glenn Rider, EDA

3-19

10



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

11/18/04

From:

Parks

To:

South Co. Team

(Please direct response to the above)

FEDERER

SUB2004-00164

Project Name and Number

Development Review Section (Phone:

788-2009)

PROJECT DESCRIPTION:

CO 04-0186 Parcel Map. Subdivide
1.1 acres into 4 lots. Located in Nipomo off
Frank Court. APN: 092-130-071.

Return this letter with your comments attached no later than:

12/3/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

YES

(Please go on to Part II)

NO

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

NO

(Please go on to Part III)

YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

(1) Reexamine payment of Quimby Fees and applicable
Building Division fees

(2) Reexamine a trail along Orchard to the County's
A-1(x) Standard.

11/30/04

Date

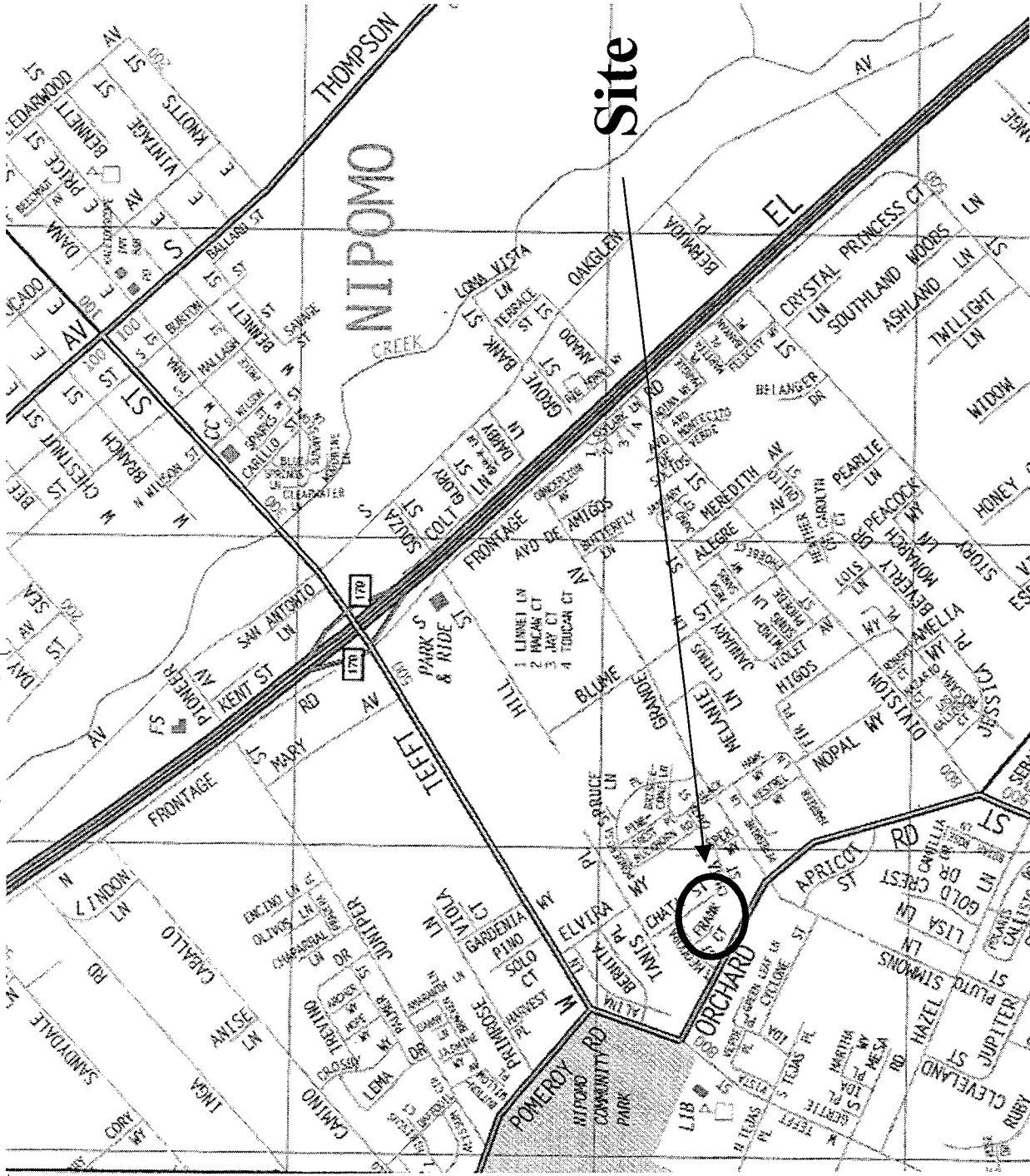
Jan Di Leo

Name

4089

Phone

San Luis Obispo Department of Planning & Building



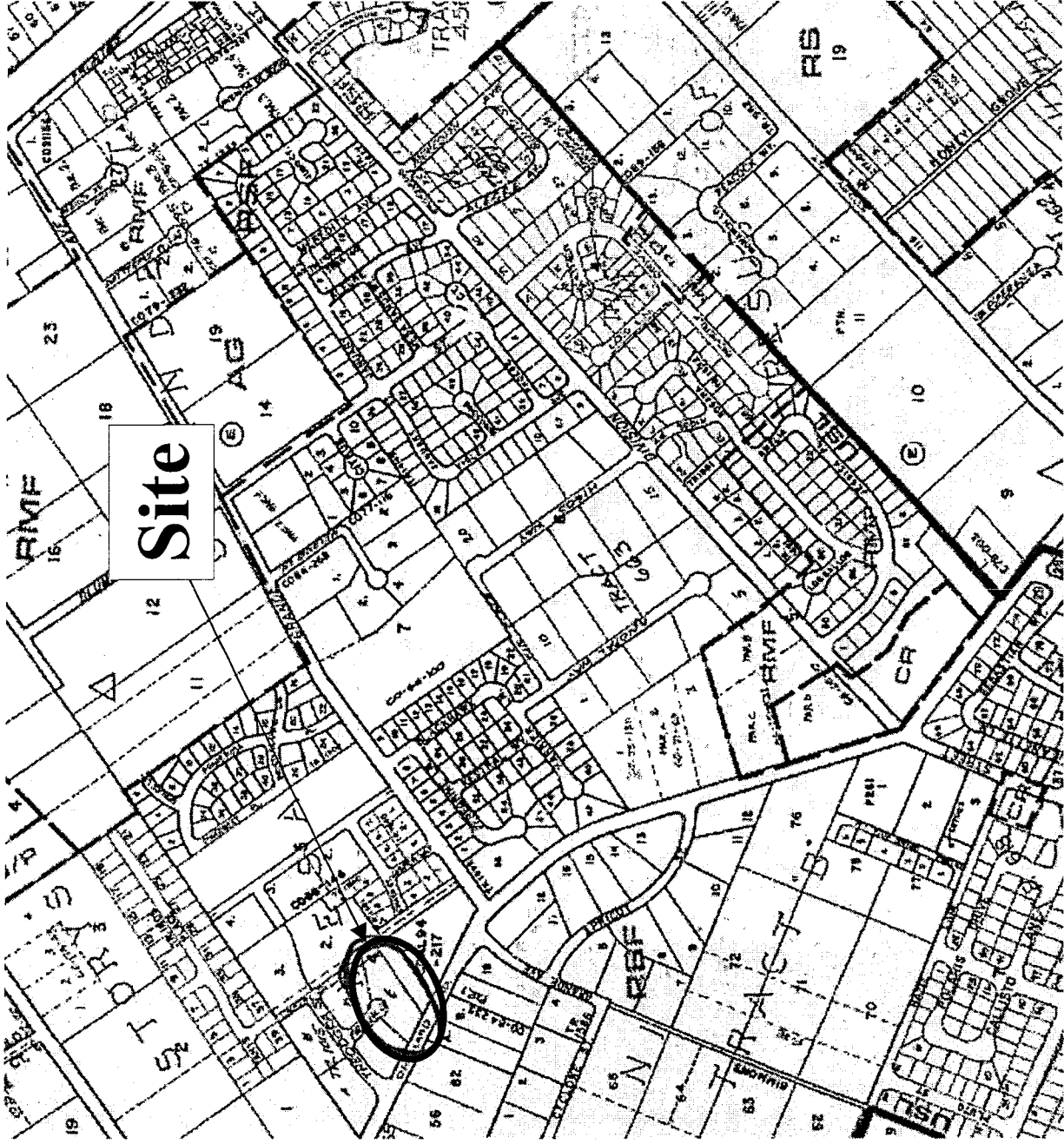
Exhibit

VICINITY MAP

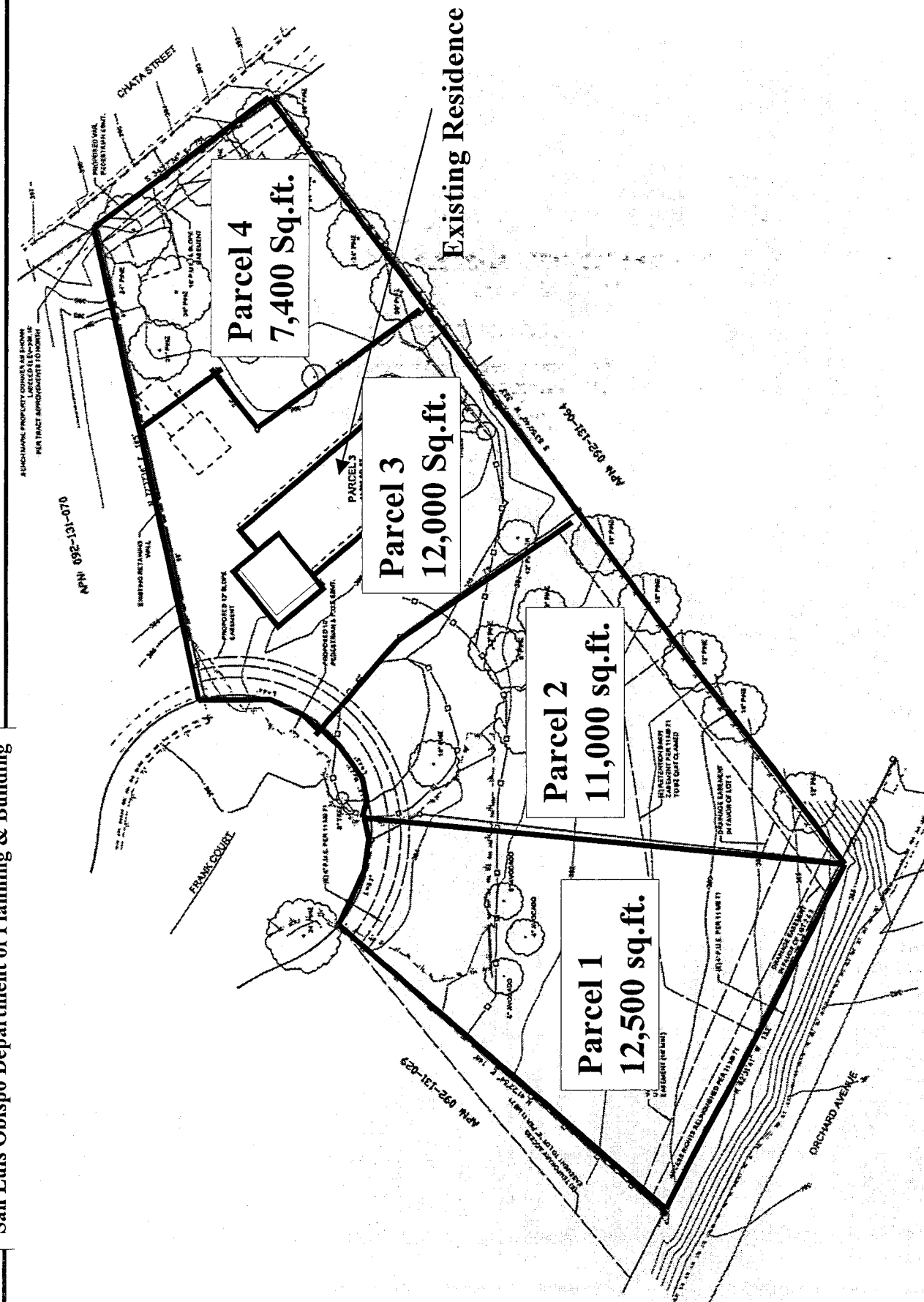


Project
Federer Vesting Tentative Parcel Map

CO 04-0186/SUB 2004-000164



3-22



Project

Vesting Tentative Parcel Map

CO 04-0186/SUB 2004-00164



Exhibit

Proposed Tentative Parcel Map

3-23



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (SF)

ENVIRONMENTAL DETERMINATION NO. ED04-292

DATE: April 28, 2005

PROJECT/ENTITLEMENT: Federer Vesting Tentative Parcel Map SUB2004-00164 CO04-0186

APPLICANT NAME: Dale Federer

ADDRESS: 233 Frank Court, Nipomo, CA, 93444

CONTACT PERSON: Glenn Rider; EDA Design Professionals

Telephone: 805-549-8658

PROPOSED USES/INTENT: Request by Dale Federer to 1) subdivide an existing 1.1 acre parcel into four parcels ranging in size from approximately 8,700 square feet to 13,000 square feet each for the purpose of sale and/or development, and 2) allow for off-site road improvements to Orchard Road and Frank Court, which will result in the disturbance of approximately 5,000 square feet of disturbance. The proposed project is within the Residential Single Family land use category.

LOCATION: The project is located at 233 Frank Court, east of Orchard Road, in the community of Nipomo. The site is in the South County (Inland) planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on May 12, 2005

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature	Project Manager Name	Date	Public Agency
-----------	----------------------	------	---------------

3-24

California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: SUB2004-00164 CO04-0186

Project Applicant

Name: Dale Federer
Address: 233 Frank Court
City, State, Zip Code: Nipomo, CA, 93444
Telephone #: 805-929-3954

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

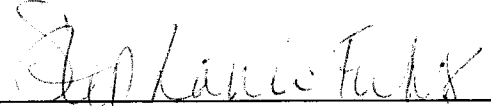
FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____.
- ☐ Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 4/13/05

3-25



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Federer Parcel Map ED04-292; SUB2004-00164; CO04-0186

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

STEPHANIE WILKS
Prepared by (Print)

Stephanie Wilks
Signature

4/13/05
Date

John Nall
Reviewed by (Print)

John Nall
Signature

Ellen Carroll,
Environmental Coordinator
(for)

4/25/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Dale Federer/Engineering Development Associates for a Vesting Tentative Parcel Map to subdivide an existing 1.1acre parcel into four parcels ranging in size from .2 to .3 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Orchard Road and Frank Court. The proposed project is within the Residential Single Family land use category and is located at 233 Frank Court, east of Orchard Road, in the community of Nipomo. The site is in the South County (Inland) planning area.

ASSESSOR PARCEL NUMBER(S): 092-130-071

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: San Luis Bay (Inland), Nipomo

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): None

EXISTING USES: Residence , accessory structures

TOPOGRAPHY: Nearly level to gently rolling

VEGETATION: Grasses , ornamental landscaping, pines

PARCEL SIZE: 1.1 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Single Family; residential	<i>East:</i> Residential Single Family; residential
<i>South:</i> Residential Single Family; residential	<i>West:</i> Residential Single Family; residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located at the end of Frank Court a local street, and is bordered by Orchard Road to the west and Chata Street to the east. The project site is surrounded by existing residential development. Development of the proposed parcels will be consistent with the surrounding properties.

Impact. No significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil types include: (inland)

Oceano sand (0-9%)

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "VI" , and the "irrigated soil class is "VI".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Other: <u>Cumulative</u></i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD). A referral response from the APCD (attached) indicates that the project will likely exceed the District's CEQA significant threshold for construction phase emissions and recommended mitigation measures for dust control. In addition, concerns were raised regarding demolition activities, naturally occurring asbestos, developmental burning and operational phase emissions. Because the site does not contain any existing structures or large vegetation requiring removal, no mitigation measures are required. Naturally occurring asbestos is discussed in the Geology section (see below). Operational phase emissions regarding wood burning devices is included as a condition of approval for the project.

Impact. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. In addition, each new residence will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air

quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; replacement of old diesel school buses, encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths.

In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the buildout impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan buildout would offset some of these impacts.

Mitigation/Conclusion. Incorporation of the dust control measures during the construction phase of the project as well as payment of the South County Air Quality Mitigation fee will reduce impacts to a level of insignificance.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Grasses Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: Located within 1 mile north and south of parcel are Sand Mesa Manzanita (Arctostaphylos rudis)

Wildlife: Vernal Pool Shrimp Fairy

Habitats: The parcel is located with the Santa Barbara vernal pool region.

Impact. A site visit conducted by planning department staff found that the site is predominately non-native grasses and ornamental landscaping with little to no native vegetation on the site. There were also no areas of standing water or areas where water would naturally pool, so the potential for a vernal pool on this site is remote.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A surface survey was conducted when the property was previously subdivided (Tract 1015) which found no evidence of archaeological/cultural materials on the site. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. to gently sloping to the west. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property.

Although the area has not been mapped for serpentine or ultramafic rock or soils, the County geologist has indicated that the property is unlikely to contain these soils. Dust control measures as required by the Land Use Ordinance and included as mitigation measures for the project during construction of future residences will reduce any potential impacts to insignificant levels.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek from the proposed development is approximately 1 mile to the east. As described in the NRCS Soil Survey, the soil is considered well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION - The soil types include: (inland)
Oceano sand (0-9%)

As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility, and low shrink-swell characteristics.

Impact. As proposed, the project will result in site disturbance with the development of the four parcels.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located adjacent to Orchard Road, an arterial road which generates noise levels which exceed County Noise Element thresholds.

Impact. Portions of proposed Parcel 1 are within the 60-65 dbl level which requires some mitigation with regard to outdoor activity areas and sound mitigation for future residential construction. Portions of proposed Parcels 2 and 3 are within the 60 dbl level and require some noise mitigation as well, but to a lesser extent because these parcels are farther away from Orchard Road.

Mitigation/Conclusion. For Parcels 1, 2 and 3, interior mitigation for future residential construction shall include air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold shields. No outdoor mitigation measures are necessary for parcels 2 and 3. For parcel 1, outdoor activity areas for new residential construction shall be located between the noise source (Orchard Road) and the residence so the residence acts as a sound barrier. If the outdoor activity area cannot be located in this manner, a sound wall or landscaping berm shall be constructed that is of sufficient height that it interrupts the line-of-sight between the noise source and outdoor activity area. The design and materials used for the sound wall or berm shall be reviewed and approved by the Planning and Building Department prior to issuance of construction permits and shall include textures, materials of varied tones and colors. The primary wall shall be of muted earth tones.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station is approximately 6 miles to the west. The closest Sheriff substation is in Oceano, which is approximately 10 miles from the proposed project. The project is located in the Lucia Mar Unified School District.

Impact. The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows a potential trail goes along Orchard Road, along the western border of the proposed project site. A referral response from the Parks Division requires a trail along Orchard Road to the County's A-1(x) standard. In addition, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. Construction of the trail along Orchard Road and the payment of the "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated, and no further mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): Frank Court and Chata Street, both local roads. While the project is bordered to the west by Orchard Road, access denial from the proposed parcels is required as a condition of approval for the map. The identified roadways are operating at acceptable levels of service. Referrals were sent to the Public Works Department. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 38 trips per day, based on the Institute of Traffic Engineer's manual of 9.57/unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety. The project, along with others in the area, will have a cumulative impact on transportation facilities. The project site is located in the South County Circulation fee area. New residences will be subject to the circulation fee, which is intended to partially mitigate the cumulative effects of additional traffic generated by new residential development within the South County planning area.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary beyond the payment of the South County Road Improvement fees at the time of future residential construction.

13. WASTEWATER - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	<i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Environmental Health Division is in receipt of a valid intent to serve letter from the Nipomo Community Services District (NCSD) that states this system can accept and process the wastewater proposed from the project.

Impact. The project proposes to use a community system as its means to dispose wastewater.

Mitigation/Conclusion. No significant impacts are expected to occur, therefore, no mitigation measures are proposed or necessary.

14. WATER - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	<i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use a community system (Nipomo CSD) as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, there is some concern regarding the long-term availability of water resources to serve existing and future development on the Nipomo Mesa.

The topography of the project is nearly level to gently sloping to the west. The closest creek (Nipomo Creek) from the proposed development is approximately 1 mile away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Impact. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 3.4 acre feet/year (AFY)

$$4 \text{ residential lots (w/primary (0.85 afy) X 4 lots) = 3.4 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Due to continued uncertainty regarding water availability within the Santa Maria Groundwater Basin, water conservation measures for future residential development and landscaping are proposed. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	NipomoCommunity Service District	In File**
<input checked="" type="checkbox"/>	Other <u>Parks Division</u>	Attached
<input type="checkbox"/>	Other _____	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

Exhibit B - Mitigation Summary Table**Air Quality**

1. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. Reduce the amount of disturbed area where possible,
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Noise

2. **Prior to issuance of construction permits for Parcels 1, 2 and 3**, the applicant shall show on the construction plans the following for noise mitigation:
 - a. air conditioning or a mechanical ventilation system,
 - b. windows and sliding glass doors mounted in low air infiltration rate frames, and
 - c. solid core exterior doors with perimeter weather stripping and threshold shields.
3. **Prior to issuance of construction permits for Parcel 1**, the applicant shall show outdoor activity areas for new residential construction that is located between the noise source (Orchard Road) and the residence so the residence acts as a sound barrier. If the outdoor activity area cannot be located in this manner, a sound wall or landscaping berm shall be constructed that is of sufficient height that it interrupts the line-of-sight between the noise source and outdoor activity area. The design and materials used for the sound wall or berm shall be reviewed and approved by the Planning and Building Department prior to issuance of construction permits and shall include natural materials and colors.

Recreation

4. **Prior to recordation of the final map**, the applicant shall construct an A-1(x) trail along the Orchard Road frontage of the project site.

Water

5. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
6. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

DATE: April 11, 2005**DEVELOPER'S STATEMENT FOR FEDERER VESTING TENTATIVE PARCEL MAP
ED04-292 (CO 04-0186/SUB 2004-00164)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Air Quality

1. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. Reduce the amount of disturbed area where possible,
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Monitoring: All particulate (dust) mitigation measures will be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to implement the dust control program. Compliance will be verified by the APCD in consultation with the Department of Planning and Building.

Noise

2. **Prior to issuance of construction permits for Parcels 1, 2 and 3, the applicant shall show on the construction plans the following for noise mitigation:**
- air conditioning or a mechanical ventilation system,
 - windows and sliding glass doors mounted in low air infiltration rate frames, and
 - solid core exterior doors with perimeter weather stripping and threshold shields.

Monitoring: Compliance will be verified by the Department of Planning and Building.

3. **Prior to issuance of construction permits for Parcel 1, the applicant shall show outdoor activity areas for new residential construction that is located between the noise source (Orchard Road) and the residence so the residence acts as a sound barrier. If the outdoor activity area cannot be located in this manner, a sound wall or landscaping berm shall be constructed that is of sufficient height that it interrupts the line-of-sight between the noise source and outdoor activity area. The design and materials used for the sound wall or berm shall be reviewed and approved by the Planning and Building Department prior to issuance of construction permits and shall include natural materials and colors.**

Monitoring: Compliance will be verified by the Department of Planning and Building.

Recreation

4. **Prior to recordation of the final map, the applicant shall construct an A-1(x) trail along the Orchard Road frontage of the project.**

Monitoring: Compliance will be verified by the Department of Public Works in consultation with the Planning Department and Parks Division.

Water

5. **Prior to final inspection or occupancy (whichever occurs first), the following measures shall be applied to the proposed turf areas:**
- To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;

04/11/2005 11:26 FAX

004

- Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.

6. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance.**

Monitoring: Compliance will be verified by the Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Mirren Dale Federer
Signature(s) of Owner(s)

Date April 12, 2005

Name(s) (Print)

Mirren Dale Federer



3-46 10
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

NOV 19 2004

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 11/19/04
FROM: PW
FROM: South Co. Team
(Please direct response to the above)

FEDERER
SUB2004-00164
Project Name and Number

Development Review Section (Phone: 788-2009)

PROJECT DESCRIPTION: CO 04-0186 Parcel Map. Subdivide
1.1 acres into 4 lots. Located in Nipomo off
Frank Court. APN: 092-130-071.

Return this letter with your comments attached no later than: 12/3/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
✓ YES (Please go on to Part II)
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
✓ NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - STUCKS ATTACHED. ORCHARD AVE IMPROVEMENTS WILL INCLUDE
2 TRAVEL LANES, A CENTER TURN LANE AND TWO BIKE LANES - FACE OF CURB 23 FEET FROM CENTER
LINE, WITH 8 FT PARKWAY, 4 FT DETACHED SIDEWALK PLUS EQUESTRIAN PATH IF IT IS REQUIRED ADDED
BEHIND CURB. THE "RETENTION BASIN EASEMENT" TO BE RUIT CLAIMED" WILL HAVE TO BE DONE
by Applicant/AGENT AND IS NOT SOMETHING FOR US TO ADDRESS. DRAINAGE CALC'S PENDING.

08 DEC 2004
Date

GOODWIN
Name

5252
Phone

3-47

County of San Luis Obispo • Public Health Department



October 25, 2004

EDA Design Professionals
1998 Santa Barbara Street, Suite 200
San Luis Obispo, CA 93401

ATTN: GLENN RIDER
RE: TENTATIVE PARCEL MAP CO 04-0186 (FEDERER)

Water Supply and Wastewater Disposal

This office is in receipt of a preliminary intent to serve from the Nipomo Community Services District to provide water and sewer services to the above noted parcel map. Be advised a final can and will serve letter will be required prior to recordation of the final map. The improvements for water and sewer will be built or bonded for prior to final recordation.

CO 04-0186 is approved for Health Agency subdivision map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
NCSD
Dale Federer, Owner

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

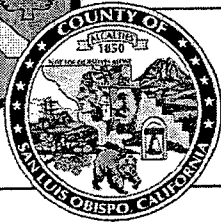
Curtis A. Batson, R.E.H.S.
Director

RECEIVED

OCT 28 2004

EDA

3-48
SF



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

January 10, 2005

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # Federer/SUB 2004-00164

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed four parcel subdivision project located at 233 Frank Court, Nipomo. This project is located approximately 6-8 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.

3-49

- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

cc: Mr. Dale Federer, owner
Mr Glenn Rider, EDA



3-50 10
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

11/18/04

FROM:

Parks

TO:

South Co. Team

(Please direct response to the above)

FEDERER

SUB2004-00164

Project Name and Number

Development Review Section (Phone:

788-2009)

PROJECT DESCRIPTION:

CO 04-0186 Parcel Map. Subdivide
1.1 acres into 4 lots. Located in Nipomo off
Frank Court. APN: 092-130-071.

Return this letter with your comments attached no later than:

12/3/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

(1) Reserve payment of Quimby Fees and applicable
Building Division fees

(2) Reserve a trail along Orchard to the County's
A-1(x) Standard.

Date

11/30/04

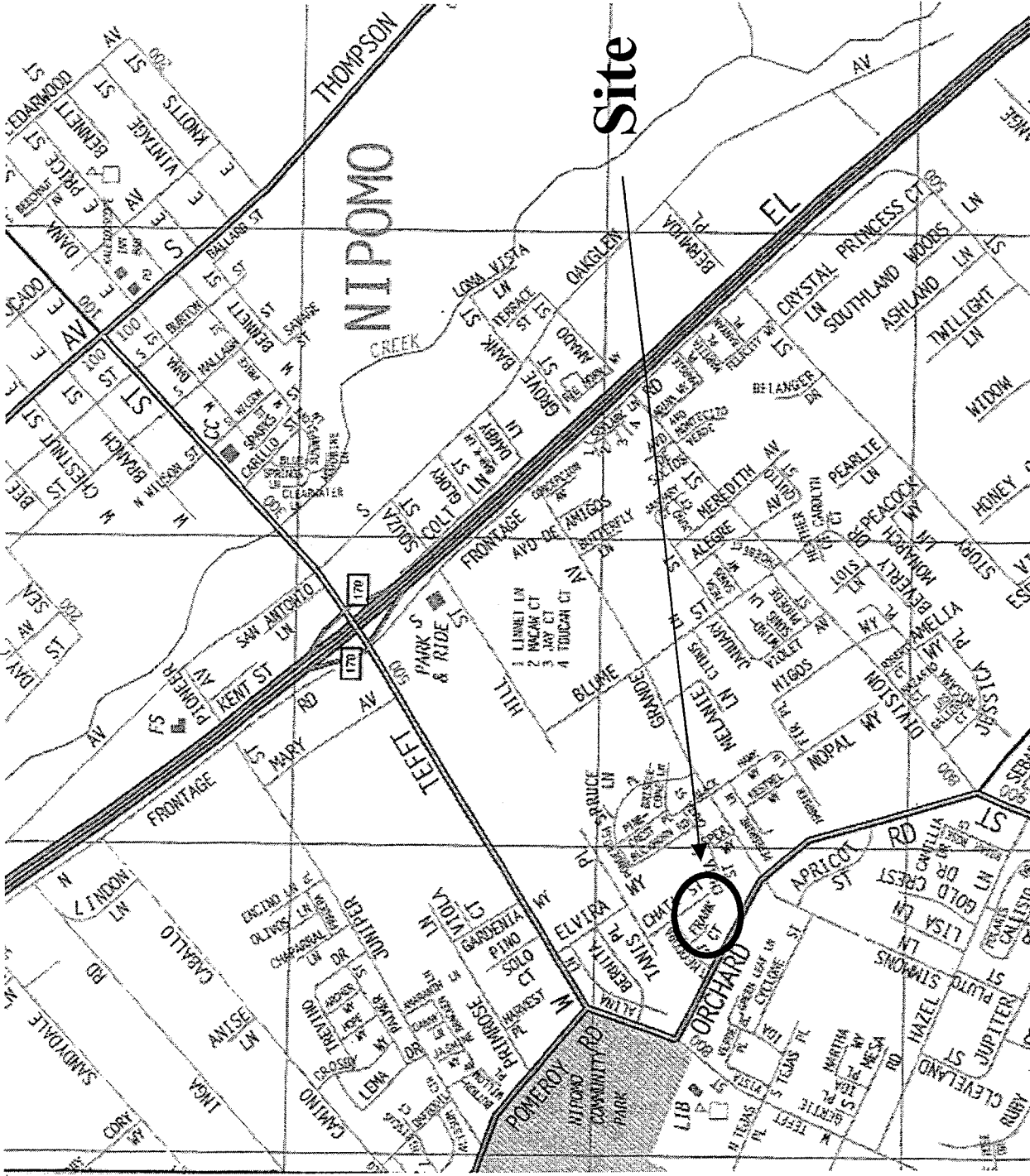
Name

Tan Diwo

Phone

4089

San Luis Obispo Department of Planning & Building



Exhibit

VICINITY MAP



Project
Federer Vesting Tentative Parcel Map

CO 04-0186/SUB 2004-000164

3-52



Land Use Category Map

Federer	Project Vesting	Tentative Parcel Map
CO 04-0186/SUB 2004-00164		

3-53

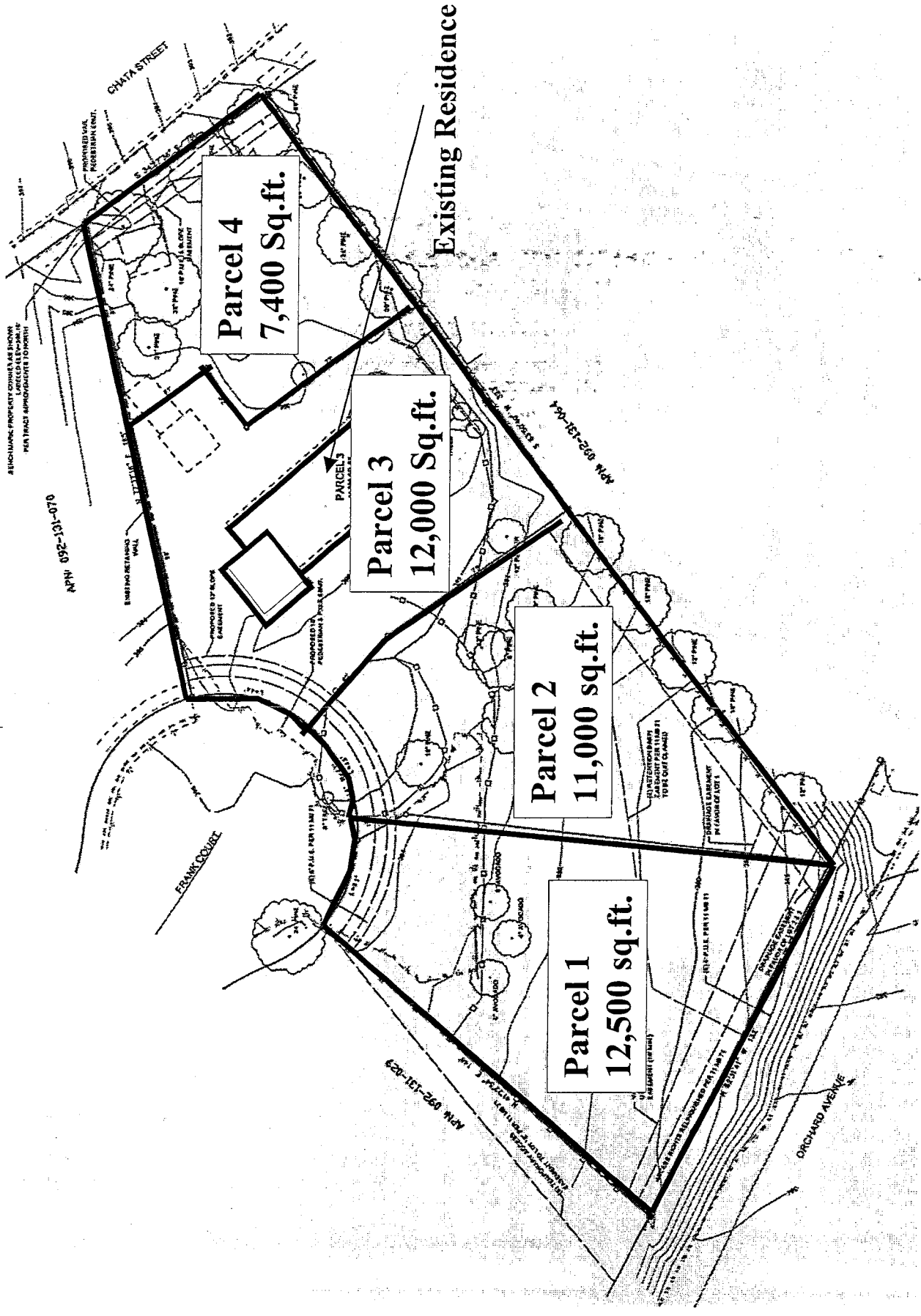


Exhibit
Proposed Tentative Parcel Map



Project
Federer Vesting Tentative Parcel Map
CO 04-0186/SUB 2004-00164